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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,569	02/06/2002	Katsuyuki Kobayashi	00862.022512	2607

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NEW YORK, NY 10112

EXAMINER

SHANKAR, VIJAY

ART UNIT	PAPER NUMBER
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2673

9

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,569

Applicant(s)

KOBAYASHI ET AL.

Examiner

VIJAY SHANKAR

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-9 and 12-15 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*. See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6-9, 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuura (5,615,318) .

Regarding Claims 1, 7 and 13, Matsuura teaches a coordinate input apparatus which detects three-dimensional position coordinates of an indicating tool, comprising: detection means (input means as 1100 in fig.1) for detecting a three-dimensional coordinate value of the indicating tool which is defined in first, second, and third dimensions (figs.1-3; summary; col.6, line 6- col.7, line 66; col.11, line 34- col.15, line 32); comparing means (calculation means as 1200 in fig.1) for comparing a coordinate value in the first dimension of the three-dimensional coordinate (Figs.1-3, 6-10; Column 6, lines 35 -54;

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Col.7, line 38-59).value with a predetermined value (figs.1-3; summary; col.6, line 6- col.7, line 66; col.11, line 34- col.14, line 40); and control means (image processing means as 1300 in fig.1) for controlling outputting of coordinate values in the second and third dimensions on the basis of the comparison result obtained by the comparing means (summary; figs.1-3; col.6, line 6- col.7, line 66; col.11, line 34- col.15, line 32).

Regarding Claims 2 and 8, Matsuura teaches a control means outputs the coordinate values in the second and third dimensions on the basis of the comparison result obtained by the comparing means (figs.1-3; col.6, line 6- col.7, line 66).

Regarding Claims 3 and 9, Matsuura teaches wherein if the coordinate value in the first dimension is not more than a predetermined value, the control means outputs the coordinate values in the second and third dimensions (figs.1-3; col.6, line 6- col.7, line 66; col.11, line 34- col.15, line 32).

Regarding Claims 6 and 12, Matsuura teaches the control means further outputs the comparison result obtained by the comparing means (figs.1-3; col.6, line 6- col.7, line 66).

Regarding Claims 14 and 15, Matsuura teaches the coordinate input system comprises a display means, and wherein the first dimension is a vertical direction for a display screen of the display means (Figs.1-3, 6-10).

4. Claims 4-5 and 10-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance: The prior art fails to teach that the control means comprises storage means for storing a first three-dimensional coordinate value detected at a first time point in an any period on the basis of the comparison result obtained by the comparing means, and controls outputting of a difference between a second three-dimensional coordinate value detected after the first time point and the first three-dimensional coordinate value; and the control means comprises storage means for storing a first three-dimensional coordinate value detected at a first time point in an any period when the coordinate value in the first dimension is not less than a predetermined value, and controls outputting of a difference between a second three-dimensional coordinate value detected after the first time point and the first three-dimensional coordinate value.

Response to Arguments

6. Applicant's arguments filed 3-8-2004 have been fully considered but they are not persuasive.

Applicant argues that Matsuura does not teach the coordinate input system comprises comparing means for comparing a coordinate value in the first dimension of the three-dimensional coordinate value with a predetermined value .

However, Matsuura does teach comparing means for comparing a coordinate value in the first dimension of the three-dimensional coordinate value with a predetermined value (Figs.1-3, 6-10; Column 6, lines 35 -54; Col.7, line 38-59).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

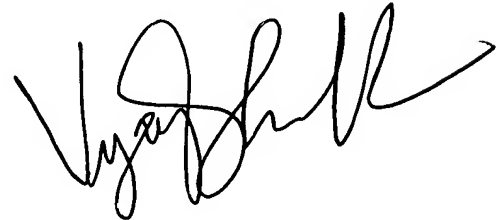
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIJAY SHANKAR whose telephone number is 703-305-4763. The examiner can normally be reached on M-F 7:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BIPIN SHALWALA can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

A handwritten signature in black ink, appearing to read 'Vijay Shankar', with a stylized, cursive script.

VIJAY SHANKAR
Primary Examiner
Art Unit 2673

VS